

1634  
PATENT

Case Docket No. TOYAM67.001AUS

Date: February 11, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Matsumoto  
Appl. No. : 09/771,439  
Filed : January 26, 2001  
For : METHOD FOR SEPARATING  
AND COLLECTING NUCLEIC  
ACIDS  
Examiner : Zitomer, Stephanie W.  
Group Art Unit : 1634

I hereby certify that this correspondence and all  
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Patents, P.O. Box 1450, Alexandria, VA 22313-  
1450, on

February 12, 2004

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

## TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- ( X ) An Information Disclosure Statement.
- ( X ) A PTO Form 1449 with ten (10) references.
- ( X ) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- ( X ) Return prepaid postcard.

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

**INFORMATION DISCLOSURE STATEMENT**

Applicant : Matsumoto  
App. No. : 09/771,439  
Filed : January 26, 2001  
For : METHOD FOR SEPARATING AND  
COLLECTING NUCLEIC ACIDS  
Examiner : Zitomer, Stephanie W.  
Group Art Unit : 1634

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 10 references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb. 12, 2004

By: Che S. Chereskin

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
TOYAM67.001AUSAPPLICATION NO.  
09/771,439INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT  
MatsumotoFILING DATE  
January 26, 2001GROUP  
1634

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,610,287	03/11/97	Nikiforov, et al.			
	5,760,130	06/02/98	Johnston, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/20640	04/29/99	WIPO				
	EP 0 533 952 A1	03/31/93	Europe				
	EP 0 710 666 A1	05/08/96	Europe				
	EP 0 747 703 A2	12/11/96	Europe				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	Lamtire, et al. "Direct Detection of Nucleic Acid Hybridization on the Surface of a Charge Coupled Device." <i>Nucleic Acids Research</i> , Vol. 22, No. 11, pp. 2121-2125, 1994.
	Marshall, et al. "DNA Chips: An Array of Possibilities," <i>Nature Biotechnology</i> , Vol. 16, pp. 27-31, January, 1998.
	Ramsay, "DNA Chips: State-of-the-Art," <i>Nature Biotechnology</i> , Vol. 16 pp. 40-44, January, 1998.
	European Search Report completed on December 15, 2003, and issued to a related foreign application

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021104

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	